

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 8-14 and 18-47 are cancelled, and claims 52-55 are added. Claims 1-7, 15-17 and 48-51 remain in this application as amended herein. Accordingly, claims 1-7, 15-17, and 48-55 are submitted for the Examiner's reconsideration.

In the Office Action, claims 1-3, 15, and 50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaiser (U.S. Patent No. 6,615,408) in view of Blatter (U.S. Patent No. 5,148,725). Applicants submit that the claims are patentably distinguishable over the cited references.

As an example, amended claim 1 calls for:

displaying the reproduced broadcast program on a display such that the information associated with the plurality of consumer commodities does not ordinarily alter any of the images shown on any portion of the display; []

selecting one of the plurality of consumer commodities by placing a cursor on that commodity while that commodity appears in the displayed broadcast program[.] (Emphasis added.)

Neither the relied on sections of Kaiser nor the relied on sections of Blatter disclose or suggest that information associated with a plurality of consumer commodities does not ordinarily alter any of the images shown on any portion of a display, and neither the relied on sections of Kaiser nor the relied on sections of Blatter disclose or suggest selecting one of a plurality of consumer commodities by placing a cursor on that commodity while that commodity appears in a displayed broadcast program.

The relied on sections of Kaiser, by contrast, describe that when an image referencing a product appears while a video production is displayed, an action selection interface (ASI) is presented on the display either as a visual highlight

of the image referencing the product or as an indication shown in a portion of the display. (See Figs. 6A-6D, and col.10 11.9-14, 20-25, 51-53, and 61-67.) The relied on sections of Kaiser thus change the appearance of the display and do not provide an advantage of the present invention, namely, that a user can select a commodity while the video production is displayed in its usual manner.

Additionally, the relied on sections of Kaiser require the presentation of a plurality of selectable actions on the display and require presentation of such selectable actions in a region separate from the video production. (See Figs. 6C-6D, and col.11 11.5-8.) The relied on sections of the reference do not disclose or suggest selection of a product merely by placing a cursor on a displayed product. Hence, the relied on sections of Blatter do not remedy the deficiencies of Kaiser.

It follows that neither the relied on sections of Kaiser nor the relied on sections of Blatter, whether taken alone or in combination, discloses or suggests the method defined in claim 1, and claim 1 is therefore patentably distinct and unobvious over the cited references.

Claims 3, 15, and 50 depend from claim 1 and are distinguishable over the cited art for at least the same reasons.

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaiser in view of Blatter and further in view of Gaughn (U.S. Patent No. 6,097,383).

Claim 4 depends from claim 1 and is distinguishable over the relied on sections of Kaiser and Blatter for at least the same reasons. The relied on sections of Gaughn do not address the deficiencies of these references.

Claims 5-7, 16-17, and 48-49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaiser in view of

Blatter and further in view of Kenney (U.S. Patent No. 6,381,283).

Claims 5-7, 16-17, and 48-49 depend from claim 1 and, for at least the same reasons, are distinguishable over these references.

The relied on sections of Kenney do not remedy the deficiencies of the relied on sections of Kaiser and Blatter.

Claim 51 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaiser in view of Blatter and further in view of Sitnik (U.S. Patent No. 6,160,570).

Claim 51 depends from claim 1 and is distinguishable over Kaiser and Blatter at least for the same reasons. The relied on sections of Sitnik do not address these deficiencies.

Applicants therefore respectfully request the withdrawal of the rejections under 35 U.S.C. § 103(a).

New claims 52-55 depend from claim 1 and are distinguishable over the cited art for at least the same reasons. Support for new claims 52-55 is found, e.g., in Fig. 4 and on pages 13-14 of the specification.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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